

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**THERESA DEGRUY, ADMINISTRATRIX OF
THE ESTATE OF MARTHA JAMES, DECEASED**

PLAINTIFF

V.

CIVIL ACTION NO.: 4:12-CV-00025-SA-JMV

**DR. TARENCE E. WADE
AND DR. DENNIS WAYNE AUST**

DEFENDANTS

ORDER

This matter is before the court on motion of the Defendants to compel responses to defendants' interrogatories and request for production (# 71). The motion to compel was filed on May 28, 2013, and given the discovery deadlines in this action, the court entered a Text Order on May 31, 2013 requiring plaintiff to respond within 48 hours. The plaintiff has not filed a response to the motion. The court does note however that plaintiff's counsel filed notice of service of the subject discovery responses on June 4, 2013. However in an abundance of caution, the court is going to enter a ruling on the subject motion. With its motion, the defendant provides that:

1. On December 17, 2012 the defendant served plaintiff with first set of interrogatories and requests for production of documents.
2. On March 8, 2013 and again on May 21, 2013 defense counsel wrote plaintiff's counsel requesting responses to interrogatories and requests for production.
3. To date this discovery remains unanswered.¹

IT IS, THEREFORE, ORDERED that the defendants' motion to compel is **GRANTED**. The plaintiff is hereby ordered to provide sufficient responses to the discovery requests detailed in the

¹The court notes that plaintiff filed notice of serving these responses, however, the court has received no confirmation that these have been received by the movant nor that they satisfy the requests.

defendants' motion within twenty four hours of this Order.

SO ORDERED this 5th day of May 2013.

/s/Jane M. Virden
U.S. MAGISTRATE JUDGE